

REMARKS

In the **non-final** Office Action of July 9, 2010, the Office noted that claims 21-35 were pending and rejected claims 21-35. In this amendment claims 21, 25, 26 and 30-35 have been amended, no claims have been canceled, and, thus, in view of the foregoing, claims 21-35 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 101

Claims 32-35 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office asserts that claims 32-35 may read on signals. The Applicants have amended the claims to state that the computer readable recording medium is non-transitory.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 21-35 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kato, U.S. Patent Publication No. 2007/0286577 in view of Kawamura, U.S. Patent No. 6,453,110 in view of Morris, U.S. Patent Publication No. 2001/0026561 in view of Mori, U.S. Patent Publication No. 2002/0127003. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Claim 21 has been amended to recite "wherein the item information includes information **which indicates an identification information of** the slave item information, and the menu information includes information for indicating **the** number of the menu-button which is displayed on a display-screen, **each of the content information, the play list information and object information is recorded into a different area, respectively, the object information further includes indicating an address of the content information which is specified by the item information, the menu-button is superimposed on a display of the content information during a reproduction of the content information, the content information and the menu information is recorded such that the reproduction of the content information which is reproduced before the display of the menu-button is kept, by controlling the content information and the menu information independently and separately, during the menu-button is superimposed on the display of the content information.**"

(Emphasis added) Claims 25, 26, 30, 31 and 35 have been amended consistent with the amendment to claim 21. Support for the amendments may be found, for example, on page 34 line 22 to page 35 line 9; page 63 line 23 to page 64 line 3; page 65 line 17 to page 66 line 7; page 67 line 9 to page 68 line 15; and page 77 line 22 to page 78 line 5. The Applicants submit that no new matter is believed to have been added by the amendment of the claims.

The Applicants respectfully submit that Kato fails to disclose "the menu information includes information for indicating **the number of** the menu-button which is displayed on a display-screen." (Emphasis added)

The Office further asserts that Mori teaches as shown in Figure 4 and disclosed in paragraph 0122, the menu 50 includes a number of menu items (buttons) displayed on a display screen.

However, Mori merely disclose that the menu 50 includes a number of (i.e. a plurality of) menu items (buttons). Mori does not disclose the information indicating the number of (i.e. a total number of) the menu items (buttons). Thus, Applicants believe that Kato does not disclose the feature of "the menu information includes information for indicating the number of the menu-button which is displayed on a display-screen."

The Applicants also submit the instant feature is not found in each individual reference or in the combination of references.

It is asserted in the Office Action that "Kato discloses [...] the item information includes information related to the slave item information (see paragraph 0307, where the prior art teaches the field of ref_thumbnail_index indicates the information of a thumbnail picture representative of the Playlist (hence playlist is related), see also figure 13; the playitem includes content, thumbnail extracted from the content , i.e. playitem information includes information related to thumbnail)."

However, Kato does not disclose both of the identification information (e.g. ID number) of the "PlayList (or PlayItem in the PlayList)" and the identification information of the ref_thumbnail_index. Therefore, it is obvious that Kato does not disclose the feature of "the item information includes information which indicates an identification information of the slave item information". Namely, it is obvious that Kato does not disclose that the field of ref_thumbnail_index indicates the identification information of the PlayList including PlayItem. The Applicants further submit the instant feature is not found in each individual reference or in the combination of references.

Further, each of or a combination of Kato and Morris does not disclose, teach or suggest that each AV stream (or the PlayList) disclosed in Kato and the stream mapping information disclosed in Morris is recorded into a different area, respectively.

In addition, Kato discloses that the AV stream (i.e. the transport stream, see paragraphs 0174 to 0176 of Kato) is recorded in the M2TS directory (see paragraph 0260 of Kato). On the other hand, Morris discloses that the stream mapping information is included in the transport stream (see paragraph 0017 of Morris). This means that Kato suggests that the stream mapping information is recorded into the same recording area into which the AV stream is recorded. Thus, each of or a combination of Kato and Morris does not disclose, teach or suggest that each

AV stream disclosed in Kato and the stream mapping information disclosed in Morris is recorded into a different area, respectively.

Further, the other cited references Kawamura and Mori fail to disclose the instant feature individually or in combination with Kato and Morris.

Morris does not disclose that the stream mapping information further includes the address of the AV data. Incidentally, the other cited references (Kato, Kawamura and Mori) do not disclose the instant feature.

Each of or the combination of Kato, Kawamura, Morris and Mori does not disclose the feature of (i) "the menu-button is superimposed on a display of the content information during a reproduction of the content information" and (ii) "the content information and the menu information is recorded such that the reproduction of the content information which is reproduced before the display of the menu-button is kept, by controlling the content information and the menu information independently and separately, during the menu-button is superimposed on the display of the content information".

More specifically, Kato does not disclose the reproducing (displaying) aspect of the AV stream (PlayList / PlayItem) and the thumbnail picture (ref_thumbnail_index). Namely, Kato does not disclose the reproducing relationship between the AV stream (PlayList / PlayItem) and the thumbnail

picture (ref_thumbnail_index). Same argument can be applied to the other documents (Kawamura, Morris and Mori).

For at least the reasons discussed above, Kato, Kawamura, Morris and Morri, taken separately or in combination, fail to render obvious claims 21, 25, 26, 30, 31 and 35 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 21-35 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./
James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573)

JJL/lrs